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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,105	08/01/2003	Rick Kicssig	25396-005	1912
29315	7590	11/13/2006	EXAMINER	
MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO PC 701 PENNSYLVANIA AVENUE, N.W. WASHINGTON, DC 20004			LEWIS, CHERYL RENE	
			ART UNIT	PAPER NUMBER
			2167	

DATE MAILED: 11/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/632,105

Applicant(s)

KIESSIG ET AL.

Examiner

Cheryl Lewis

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 August 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 and 5-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This Office Action is in response to the applicants' amendment received on August 24, 2006.
2. Claims 1-3 and 5-34 are presented for examination.
3. The applicants have amended claims 1-3, 5-7, 9-21, 23, 25, 26, 28, 29, 31, and 32 in the amendment received on August 24, 2006. Also, the applicants have cancelled claim 4 and introduced new claims 33 and 34 in the amendment received on August 24, 2006.
4. Applicants' arguments with respect to claims 1-3 and 5-34 have been considered but are deemed to be moot in view of the new grounds of rejection.

### ***Specification***

5. The applicants have amended the Specification to include reference serial numbers to identify the plurality of applications that have been incorporated with the instant application.

### ***Drawings***

6. The applicants have submitted replacement drawing sheets for figures 1-5. Therefore, the drawings submitted on August 24, 2006 are accepted by the Examiner.

***Double Patenting***

7. The double patenting rejection cited in the prior Office Action dated February 24, 2006 is hereby withdrawn. The applicants have filed a terminal disclaimer to overcome the provisional obviousness-type double patenting rejection of the instant application (10/632105) over applications 10/632087, 10/632086, and 10/632092.

The terminal disclaimer has been approved and it has been placed in the application file.

***Claim Rejections - 35 USC § 112***

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 recites the claim limitations as follows: 'what changes are made to the selected file'; 'who makes the changes to the selected file'; and 'when the changes were made to the selected file'.

The claims do not include any specific detailed information (attributes, objects, etc.) that would cause and/or would be a reason to change the file. The claim limitations do not recite what happens to the file as a result of the file being changed. The claims lack information (attributes, objects, etc.) about what information within the file is being changed.

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The examiner has carefully taken into consideration that the claim limitations include a record that keeps track of changes being made to a file. However, the changes being made to the file do not recite any specific task that would create these changes. For instance, a change could be created by a user entering or inputting data, a specific entry operation, copy, snapshot, etc.

Again, the claim limitations only recite **what** changes are made, **who** makes the changes, and **when** the changes were made without including any specific cause to create these changes and what happens to the file as a result of these changes (i.e. displaying an updated file to a user after the file has been changed).

Thus claims 2, 3, and 5-34 are also rejected for at least the reasons set forth above.

***NAME OF CONTACT***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (571) 272-4113. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

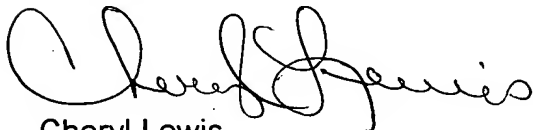
(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Cheryl Lewis', is positioned above the printed name.

Cheryl Lewis  
Patent Examiner  
November 8, 2006